



ANNO QUINQUAGESIMO QUARTO

# GEORGI II. REGIS.

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## Cap. 77.

An Act for building a Church or Chapel of Ease in the Parish of *Sculcoates*, in the East Riding of the County of *York*. [27th May 1814.]

**W**HEREAS the Population of the Parish of *Sculcoates*, in the East Riding of the County of *York*, has of late Years considerably increased: And whereas in consequence of the small Size of the Parish Church of *Sculcoates* aforesaid, and its inconvenient Distance from a large Proportion of the Inhabitants of the said Parish, it would be of great Benefit and Utility to the said Inhabitants if a Church or Chapel of Ease were erected in a convenient Situation in the said Parish for the Celebration of Divine Service, the Administration of Sacraments and other Rites and Ceremonies according to the Usage of the Church of *England*: And whereas the King's most Excellent Majesty is Patron of the Vicarage of the Parish Church of *Sculcoates* aforesaid, which lies in the Diocese of *York*, and the Reverend *Richard Patrick* is the present Vicar thereof: And whereas divers Persons have engaged to contribute various Sums of Money towards the Expence of erecting a Church or Chapel of Ease in the said Parish, and are desirous, by the Assistance of such other pious and well-disposed Persons as shall hereafter engage to contribute thereto, to erect a Church or Chapel of Ease in the said Parish, for the Accommodation of the Inhabitants thereof; but in as much as the Purposes aforesaid cannot effectually be carried into Execution, without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the

[*Loc. & Per.*]

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Advice

Appointment  
of Trustees.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Vicar of the Parish of *Sculcoates* aforesaid for the Time being, *William Jarratt, Joseph Egginton, John Carrick, Ann Sykes* Widow, *Avison Terry, John William Hentig, John Marshall, Thomas Ellison Collinson, William Hall, Thomas-Hall, Samuel King, John Newbald, Henry Coates, Simon Horner, Mary Thornton* Widow, *John Terry, George Alder, Joseph Robinson Pease, Thomas Thompson, Ann Cornwell* Widow, *John Moxon, James Hewetson, John Frost, and Joseph Rennard*, together with all and every Person or Persons who hath or have engaged to, and shall, within the Space of Twelve Calendar Months next after the passing of this Act, contribute, or shall by Writing under his or her Hand engage to contribute the Sum of One hundred Pounds Sterling, or upwards, for the Purposes of this Act, and their Successors, to be elected and appointed as herein-after mentioned, shall be, and they are hereby appointed Trustees for putting this Act into Execution.

Power to ap-  
point new  
Trustees  
when the ori-  
ginal Num-  
ber is reduced  
to less than  
Eight Per-  
sons, exclusive  
of the Vicar.

II. And be it further enacted, That when and as often as the said Trustees shall, by Death, or Resignation of Office, or Refusal to act, be reduced to a less Number than Eight Persons, exclusive of the said Vicar of *Sculcoates* for the Time being, it shall and may be lawful for the Proprietors of Pews and Seats in the said intended Church or Chapel, in pursuance to Notice in Writing to that Purpose, to be affixed upon the Doors of the said intended Church or Chapel, which Notice the surviving or remaining Trustees are hereby required to give, within the Space of One Calendar Month next after the Death, Resignation, or Refusal to act, of the Person so reducing the Number of Trustees below Eight Persons as aforesaid, shall be made known to them, to assemble in the Vestry of the said intended Church or Chapel, and there from Time to Time, as such Vacancies occur, elect some other fit Person (being a Proprietor as aforesaid) in the Room of him or her so dying, resigning, or refusing to act; and the said Person so elected shall immediately thereupon become vested with the same Powers and Authorities as if he or she had been appointed a Trustee in and by this Act: Provided always, that in case the said Proprietors of Pews and Seats shall at any Time, upon a Vacancy happening as aforesaid, neglect to appoint some fit Person as aforesaid to act as a Trustee in the Room of him or her so dying, resigning, or refusing to act, within the Space of Three Calendar Months after such Death, Resignation, or Refusal to act, then and in that Case it shall be lawful for the Vicar of *Sculcoates* for the Time being to appoint such Trustee, who shall, immediately upon such Appointment being signed by the said Vicar of *Sculcoates*, and entered in a Book for that Purpose, become vested with the same Powers and Authorities as if he had been appointed a Trustee in and by this Act.

No Act valid  
unless at a  
Meeting of  
Five Trustees  
at least.

III. And be it further enacted, That no Act of the said Trustees in the Execution of this Act shall be deemed to be good, valid, or effectual, unless the same shall be done at some Meeting to be holden in pursuance of this Act (except as may be herein-after excepted); and that all the Powers and Authorities by this Act granted to the said Trustees shall and may be exercised from Time to Time, by the major Part of them who shall be present at any such Meeting, the Number of Trustees then present not being less than Five; and that all the Orders and Proceedings of such  
major



major Part shall have the same Force and Effect as if the same were made or done by all the Trustees of this Act for the Time being (save and except as may be herein-after excepted), and that at every Meeting of the said Trustees a Chairman may and shall be appointed; and that when and as often as it shall happen, that there shall upon any Question be an Equality of Votes at any such Meeting, including the Vote of the Chairman, then it shall and may be lawful to and for such Chairman to give the decisive or casting Vote.

IV. And be it further enacted, That the First Meeting of the said Trustees in pursuance of this Act shall be held as soon as conveniently may be after the passing thereof, at the Public Hall in *Sculcoates* afore-said, and that all subsequent Meetings shall be held at such Times and Places within the said Parish, as the said Trustees shall from Time to Time appoint (except where otherwise expressly provided for by this Act): Provided always, that a Notice of the Intention to hold such Meetings respectively shall in all Cases be inserted in One or more of the *Hull* Newspapers, until the Erection and Completion of the said intended Church or Chapel; and after such Erection and Completion, such Notice shall be in Writing, and affixed upon the Door of the said intended Church or Chapel, at least Seven Days before any of the Days on which such Meetings are respectively intended to be held. Meeting of the Trustees.

V. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and to be made therein fair and regular Entries of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their several Meetings, and that the same shall be subscribed with the Name of the Chairman; and that all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions, touching any Thing done in pursuance of this Act. All Proceedings to be entered.

VI. And be it further enacted, That the said Trustees may, and they are hereby empowered, by Writing under their Hands, to appoint a Treasurer or Treasurers, Collector or Collectors, and also such other Officers and Persons for the Execution of this Act, (except such Officers as the Minister for the Time being of the said intended Church or Chapel is herein-after empowered to appoint) as they the said Trustees shall think proper, and from Time to Time to remove such Officers or Persons respectively, as they the said Trustees shall see Occasion; and out of the Monies to be received by virtue of this Act to allow and pay such Salaries, Wages, and Allowances to the said Officers to be appointed by them, and also by the said Minister, as herein-after mentioned, as they the said Trustees shall think reasonable; and the said Trustees are hereby required to take sufficient Security from every such Treasurer and other Officers, for the due Execution of his Office, as they shall think proper. Trustees may appoint Officers, and allow them, and the Officers to be appointed by the Minister, Salaries.

VII. And be it further enacted, That the said Trustees shall and may sue and be sued, in the Name or Names of their Treasurer or Treasurers for the Time being, to be appointed under this Act; and that no Action or Suit which may be brought by or against the said Trustees, or any of them, in relation to this Act, shall be abated or discontinued by the Death Trustees to sue and be sued in the Name of their Treasurer.  
or



or Removal of any such Treasurer or Treasurers, or by the Act of such Treasurer or Treasurers, without the Consent of the said Trustees, but the Treasurer or Treasurers for the Time being shall always be deemed Plaintiff or Plaintiffs, or Defendant or Defendants, in every such Action or Suit, as the Case may be: Provided always, that every such Treasurer or Treasurers shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences as he or they shall be put unto, or become charged or chargeable with, by reason of his or their being so made Plaintiff or Plaintiffs, or Defendant or Defendants, as aforesaid.

Trustees may contract for the Purchase of Land, not exceeding Three Acres.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby empowered and required as soon as conveniently may be after the passing of this Act, to contract or agree for the absolute Purchase, in Fee Simple, in Possession, of any Freehold Lands, Tenements, or Hereditaments, in the Parish of *Sculcoates* aforesaid, (not exceeding Three Acres in the Whole), with any Person or Persons whomsoever who shall be willing to sell the same, for the Purpose of building and erecting upon some Part or Parts thereof the said Church or Chapel, and such other Buildings and Conveniencies, and of making a Cemetery or Burial Ground to the same Church or Chapel, and Approaches thereto respectively, as to the said Trustees shall appear necessary and expedient; and that it shall and may be lawful to and for the said Trustees and their Successors to hold such Lands, Tenements, and Hereditaments, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever to the contrary notwithstanding.

On Payment of Purchase Money, Land to be vested in Trustees.

IX. And be it further enacted, That upon the Payment of the Money contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the Trustees, to the Party or Persons respectively entitled unto such Monies, or to their Agents, and upon the Conveyance of such Lands, Tenements, or Hereditaments, to the said Trustees and their Successors for ever, by the Name and Style of "The Trustees of *Christ's Church* in *Sculcoates*," all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person and Persons respectively, (for whose Use the same shall be paid), in, to, or out of such Lands, Tenements, or Hereditaments, shall vest in the said Trustees and their Successors for ever, for the Uses and Purposes of this Act.

Trustees may build a Church, &c.

X. And be it further enacted, That it shall be lawful for the said Trustees to cause a Church or Chapel of Ease to be erected or built upon some Part of the said Lands, Tenements, or Hereditaments, so purchased by them by virtue of this Act, after such Model, and of such Dimensions, and with such Materials, and in such Manner as they the said Trustees, with the Approbation of the Archbishop of *York* for the Time being, shall order or direct, and to be made a Cemetery or Burial Ground thereto, if they shall think fit; and also to cause Pews, Seats, and Galleries, and a Vestry, together with such Ornaments and Conveniencies to be made, erected, and set up in the said Church or Chapel, and to cause any Bell or Bells to be hung up in the said Church or Chapel as by the said Trustees, with the like Approbation, shall be deemed necessary or proper, in order that

that the said Church or Chapel may be completely fitted up and furnished for the Performance of Divine Service therein, according to the Rites and Ceremonies of the Church of *England*; and also to lay out a sufficient Part of the Lands, Tenements, and Hereditaments, so to be purchased, for Approaches to the said Church or Chapel, Cemetery or Burial Ground, as the said Trustees shall deem necessary and expedient: Provided always, that the said Trustees may cause Vaults to be made under the Floor of the said Church or Chapel, if they shall think proper so to do, for the Interment of the Dead.

XI. And be it further enacted, That the said Church or Chapel, when built and completed, shall be set apart and dedicated to the Service of Almighty God, as a Place of Divine Worship for ever, according to the Usage of the Church of *England*; and such Church or Chapel, from and immediately after the Consecration and Dedication thereof, shall and is hereby declared to be a perpetual Cure and Benefice, and shall be called by the Name of "*Christ's Church in Sculcoates*:" Provided always, that nothing in this Act contained shall extend or be construed to extend to the making of any new Parish, or to the altering of any Tithes or any other Ecclesiastical Dues or Payments, or any Rates, Taxes, Assessments, or other Payments whatsoever.

Church, when built, to be a perpetual Cure.

Act not to make a new Parish, or alter any Tithes, &c.

XII. And be it further enacted, That all the Pews, Seats, and Galleries in the said intended Church or Chapel, and all the Vaults (if any) under the said Church or Chapel, with their Appurtenances, shall be, and the same are hereby vested in the said Trustees and their Successors for ever.

Pews, Vaults, &c. vested in the Trustees.

XIII. And be it further enacted, That the said Trustees shall, and they are hereby required, to set apart and appropriate in the said intended Church or Chapel, such a Number of Seats for the gratuitous Accommodation of the Poor of the Parish of *Sculcoates* aforesaid, for the Time being, as shall be sufficient to accommodate not less than Five hundred of such Poor.

Seats to be appropriated for the Accommodation of Five hundred Poor.

XIV. And be it further enacted, That all the Pews and Seats to be erected and set up in the said intended Church or Chapel, and in the Galleries thereof (except such Seats as shall be so set apart for the Poor as aforesaid) and also the Vaults (if any) shall be made under the said Church or Chapel, shall be marked with and distinguished by different Numbers or Figures to be carved or painted on the Door of each Pew, Seat, and Vault respectively.

Pews, Seats, and Vaults to be numbered.

XV. And be it further enacted, That the said Trustees shall and they are hereby required, with all convenient Speed after the said Church or Chapel shall be in sufficient State of Forwardness, to sell the Fee Simple and Inheritance of the said Pews, Seats, and Vaults, in such Manner as to the said Trustees shall seem meet, to any Person or Persons willing to become the Purchaser or Purchasers thereof, at such Price or Prices in Money as can or may be reasonably had or gotten for the same, and that a Memorandum of each such Sale being entered in a Book or Books kept for that Purpose, and signed by Two or more of the said Trustees, and by the

Pews, Seats, and Vaults to be sold.

[*Loc. & Per.*]

15 P.

Purchaser



Pews and Seats to be subject to a yearly Rent of 100l.

Purchaser or Purchasers of such Pews, Seats, and Vaults respectively, shall be good, valid, and effectual to vest the Fee Simple and Inheritance thereof in such Purchaser or Purchasers, without any Faculty or other Instrument whatsoever: Provided always, that on every such Sale of the said Pews and Seats, there shall be respectively reserved and made payable, as herein-after directed, such yearly Rent or Sum, payable by equal Half-yearly Payments, as they the said Trustees shall think fit to affix upon each and every such Pew or Seat, the aggregate Amount of such Rents or Sums in the Whole not being less than One hundred Pounds *per Annum*.

Rent to be paid by each Pew and Seat, to be ascertained before Sale.

Provision for a Re-sale in Default of Payment of Rent.

XVI. And be it further enacted, That the aforesaid Rent or Sum to be reserved in respect of every such Pew and Seat, shall be ascertained and determined, and entered in a Book provided for that Purpose, before any Sale or Conveyance shall be made of them, or any of them, and that the Entry of the same, on being signed by Two or more of the Trustees, and by the Purchaser or Purchasers of such Pew and Seat shall be considered binding and conclusive to all Intents and Purposes whatsoever; and that in case the Rent of any such Pew and Seat shall be behind and unpaid for the Space of Twenty-one Days next after the same shall have become due and payable, and shall have been demanded, it shall and may be lawful for the said Trustees, or any Person by their Order, to enter upon and re-assume, or take Possession of such Pew and Seat, and for the said Trustees to sell and convey the same on the Terms, and in Manner before mentioned, to any other Person or Persons, at such Price or Prices in Money as can or may be reasonably had or gotten for the same, and after deducting therefrom the Rent in Arrear and all Expenses attending such Re-sale, the said Trustees shall pay the Surplus (if any) to the late Owner or Owners of such Pew and Seat: Provided always, that Notice in Writing shall be affixed on the Door of the said Church or Chapel of such Rent being behind or unpaid as aforesaid, and of the Intention of the said Trustees to enter and re-sell, for Three succeeding *Sundays* previous to such new Sale being made.

Patronage of the Church vested in the Trustees.

XVII. And be it further enacted, That when and so soon as the said intended Church or Chapel shall be built and consecrated, the perpetual Advowson, Right of Patronage, free Disposition, Nomination, and Presentation of, in, and to the said intended Church or Chapel shall for ever thereafter appertain to, and the same is and are hereby vested in and settled upon the said Trustees and their Successors for ever, freed and absolutely discharged of all Estates, Rights and Interests of the said *Richard Patrick* and his Successors for the Time being, Vicars of the said Parish Church of *Sculcoates*, and all Person and Persons whomsoever claiming under him, them, or any of them.

Church to be a separate Cure.

XVIII. And for the keeping the said Church or Chapel at all Times hereafter an entire and distinct Cure and Benefice from the Parish Church of *Sculcoates* aforesaid, be it further enacted, That it shall not be lawful for the Vicar of the said Parish Church, or any other Person holding any Curacy or Lectureship within the said Parish, or under the Vicar thereof, to be Minister of the said intended Church or Chapel.

XIX. And

XIX. And be it further enacted, That after the Consecration of the said intended Church or Chapel, it shall and may be lawful for Banns of Matrimony to be published, and Marriages, Christenings, and Burials to be solemnized within the said intended Church or Chapel, provided the same be published and solemnized according to the Laws and Canons of this Realm on that Behalf; and that all such Banns as shall be so published, and also all and every such Marriages, Christenings, and Burials, as shall be solemnized in the said intended Church or Chapel, shall be as good, valid, and effectual, to all Intents and Purposes, as if the same were published and solemnized in the Parish Church of *Sculcoates* aforesaid: Provided always, that it shall and may be lawful for the Vicar of *Sculcoates* for the Time being to perform any of the aforesaid Ceremonies in the said intended Church or Chapel, at any Time, so as not to interfere with the accustomed Hours of Divine Worship at the said Church.

Marriages, Christenings, and Burials, may be solemnized in the Church.

Vicar of *Sculcoates* empowered to perform the said Ceremonies therein.

XX. And be it further enacted, That all Marriages, Christenings, and Burials, solemnized within the said intended Church or Chapel, shall be registered in Public Register Books, to be provided by the Churchwardens, and kept for that Purpose by the Minister, according to the Laws in force for keeping Registers in that Part of the United Kingdom called *England*; and that such Register Books shall be received in all Courts of Law and Equity, as Evidence of such Marriages, Christenings, and Burials, in the same Manner as Register Books of Marriages solemnized in Churches and Public Chapels, in which Banns were usually published before the passing of an Act made in the Twenty-sixth Year of His late Majesty King *George* the Second, intituled *An Act for the better preventing of Clandestine Marriages*, or Copies thereof, are read in Evidence.

All Marriages, Christenings, and Burials, to be registered.

XXI. And in order that the erecting of the said intended Church or Chapel may not prejudice the Vicar of the said Parish for the Time being, or lessen his Revenues, be it further enacted, That there shall be paid to the Minister of the said intended Church or Chapel, for every Marriage and Burial, and for every Churching of Women, which may be performed in the said Church or Chapel, Double the Fees which are actually, and of Right ought to be paid for the Performance of such Services respectively, at the Parish Church of *Sculcoates* aforesaid; and that the Minister of the said intended Church or Chapel shall, from Time to Time, collect and receive all such Double Fees, of which an Account shall be kept by him open to the Inspection of the Vicar, and account for and pay, by Two equal Half-yearly Payments in every Year, *videlicet*, on the First *Monday* after every *Christmas Day* and *Midsummer Day*, One Moiety or Half Part thereof to the Vicar of the said Parish for the Time being, or his Agent appointed by him in that Behalf; the first of the said Payments to be made on such of the said Days as shall happen next after the Consecration of the said Church or Chapel, and in case of Non-payment within Fourteen Days next after any of the said Half-yearly Days, such Moiety or Half Part of all such Fees shall and may be sued for and recovered from the said Minister of the said Church or Chapel, with full Costs of Suit, by the Vicar of the said Parish for the Time being, in the same Manner, and by the same Ways and Means, as any Surplice Fees, due and payable at the Parish Church of *Sculcoates* aforesaid, can or may be recovered, or by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Double Fees on all Marriages, &c. Half to be paid to the Vicar.

XXII. And



Minister's  
Duty.

XXII. And be it further enacted, That the Minister of the said intended Church or Chapel shall, every *Sunday* Morning and Evening, read therein the Prayers prescribed in the Book of Common Prayer, or Public Liturgy of the Church of *England*, and shall also, every *Sunday* Morning and Evening, and on every *Christmas Day* and *Good Friday*, and on all occasional public Fasts and Festivals, in the Morning, after Divine Service is performed, preach, or cause to be preached, a Sermon in the said intended Church or Chapel, and shall at least Eight Times in the Year administer the Holy Sacrament of the Lord's Supper, namely, on *Good Friday*, *Easter Sunday*, *Whit Sunday*, and *Christmas Day*, and on such other Four *Sundays* as the Minister for the Time being shall appoint, so that the Spaces of Time between such Administration of the Holy Sacrament of the Lord's Supper shall be as nearly equal as may conveniently be.

Minister's  
Salary.

XXIII. And be it further enacted, That for the Maintenance and Support of the Minister for the Time being of the said intended Church or Chapel, the said Trustees are hereby required to pay, or cause to be paid to the said Minister, by Two equal Half-yearly Payments, *videlicet*, on the First *Monday* after every *Christmas Day* and *Midsummer Day*, all, or so much as shall be received of the Rents which shall, by virtue of this Act, be reserved and made payable out of the Pews and Seats of the said intended Church or Chapel; and also the Interest and annual Produce of all Monies, and the Rents and annual Profits of all Lands and Hereditaments which shall be given, granted, bequeathed, or devised to the said Trustees for the Use and Benefit of the said Minister, and also such further annual Sum as the said Trustees shall, from Time to Time, think proper to pay and allow to him.

Lecturer  
may be ap-  
pointed by  
the Proprie-  
tors of Pews.

XXIV. And be it further enacted, That if the Proprietors of Pews and Seats, in the said intended Church or Chapel, or the major Part of them, shall be desirous to have a Lecturer appointed to read Prayers and preach a Sermon in the said intended Church or Chapel every *Sunday*, in addition to the Duty herein-before provided to be done by the stated Minister, it shall be lawful for the said Proprietors of Pews and Seats, or the major Part of them, from Time to Time, to employ and engage the Minister of the said intended Church or Chapel, or any other Minister duly qualified by Law to be such Lecturer; and that every such Lecturer, other than the Minister of the said intended Church or Chapel, being first approved of and duly licensed thereto by the Archbishop of *York*, shall have the Use of the said intended Church or Chapel, and the Pulpit therein, for the Purposes aforesaid; and that every such Lecturer shall be paid for his Care and Pains therein, by a voluntary Subscription of the said Proprietors of Pews and Seats, as they, or the major Part of them, direct and appoint.

Lecturer's  
Salary.

Trustees em-  
powered to  
accept  
Lands, Mo-  
ney, &c. to  
the Amount  
of 10,000l.

XXV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered at any Time or Times hereafter, without Licence in Mortmain, to accept and take any immediate Gift, Grant, Conveyance, or Devise, Gifts, Grants, Conveyances, or Devises of any Lands, Tenements, or Hereditaments, and any Bequests of Money, Goods, Chattels, or Effects, not being of greater Amount or Value in the Whole than Ten Thousand Pounds Sterling, to them and their Successors for ever, by the Name and Style of "The Trustees of Christ's Church in *Sculcoates*," for the  
Augmentation



Augmentation of the Minister's Salary, or Endowment of the said intended Church or Chapel, or for the Discharge of any Debt or Debts incurred in the building of the said Church or Chapel, or any other of the Purposes of this Act; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

XXVI. And be it further enacted, That in case it shall at any Time appear to the said Trustees to be necessary to raise a Sum or Sums of Money by Way of Sale or Mortgage, for the Discharge of any Debt or Debts incurred in the Erection of the said intended Church or Chapel, or for the providing a more adequate Income for the Minister of the said intended Church or Chapel, or for any other the Purposes of this Act, it shall and may be lawful for the said Trustees to sell, for the best Price in Money that can be lawfully and *bonâ fide* obtained, the Advowson, Patronage, or Right of Presentation of or to the said intended Church or Chapel, either in Perpetuity, or for one or more Turn or Turns, and also the Lands, Tenements, and Hereditaments to be purchased or acquired under the Powers of this Act, or any Part of them, or to mortgage in Fee, or for any Term of Years, the said Advowson, Patronage, Right of Presentation, Lands, Tenements, and Hereditaments; provided that every Instrument for effectuating such Sale or Sales, Mortgage or Mortgages respectively, shall be under the Hands and Seals of not less than Five of the said Trustees; and it is hereby declared, that the Receipts of such Five or more Trustees for any Purchase or Mortgage Monies so coming to their Hands, shall be valid and effectual without such Purchasers or Mortgagees, or any of them respectively, being required to see to the Application, or being accountable for the Misapplication or Non-application of such Monies, or any Part thereof respectively; provided that all such Deeds of Sale or Mortgage be duly enrolled in the Court of Chancery within Six Calendar Months from the Date thereof.

Trustees empowered to sell and mortgage for the Purposes of this Act.

XXVII. And be it further enacted, That as soon as conveniently may be after the Consecration of the said intended Church or Chapel, the said Trustees shall, and they are hereby required to place at Interest, upon good and sufficient Security, in the Name of the Minister and Churchwardens of the said intended Chapel or Church, for the Time being, the Sum of One hundred Pounds; and that the Interest or Dividends thereof shall from Time to Time accumulate and be added to the Principal, till the Whole shall amount to Four hundred Pounds, for providing a Fund for, and to be laid out by the said Minister and Church or Chapel Wardens for the Time being, in the necessary Expences of supporting and keeping in Repair the Roof, main Walls, and Timbers of the said intended Church or Chapel, and the Church Yard and Fences, so that the same may at all Times be preserved in good Repair and Condition: Provided always, that in the Application of the said Sum of Money, the same shall never be reduced below the Sum of Two hundred Pounds, which Sum shall be continued at Interest, or as soon as may be done conveniently, be laid out in the Purchase of Land, to be conveyed to the said Trustees, and their Successors; and the Interest of the said Sum of Two hundred Pounds, or the Rents and Profits of the Lands to be purchased, as the Case may be, shall be and remain a continual Provision for such Repairs of the said intended Church or Chapel, Church Yard, and Fences, and for the enlarging, beautifying, or improving the said Church or Chapel, as

Fund for Repairs.

[Loc. & Per.]

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shall



shall appear proper to the said Minister, and Church or Chapel Wardens thereof, for the Time being.

Appointment  
of Church-  
wardens.

XXVIII. And be it further enacted, That as soon after the Consecration of the said intended Church or Chapel as conveniently may be, Two Persons shall be appointed out of the Proprietors of Pews and Seats therein, to be and act as Church or Chapel Wardens of the said intended Church or Chapel, until the *Wednesday* in the *Easter* Week next after such Appointment; and in case of the Death of either of them before such Time, then for the Survivor to be and act as aforesaid until such Time; and from thenceforth upon every *Wednesday* in *Easter* Week yearly for ever, Two fit Persons shall be appointed as aforesaid, to be and act as Church or Chapel Wardens of the same Church or Chapel, one of such Church or Chapel Wardens to be appointed by the Minister for the Time being, and the other by the said Proprietors, or the major Part of them, to be therein assembled in the said Church or Chapel for that Purpose; and in case of the Death of any Church or Chapel Warden during the Year for which he shall have been elected, then and in every such Case a new Church or Chapel Warden shall be appointed by and out of the Persons aforesaid, in such Manner as the deceased Church or Chapel Warden shall have been appointed; and every such Church or Chapel Warden to be so appointed as last aforesaid, shall respectively be, and act as Church or Chapel Warden of the said intended Church or Chapel, until the *Easter Wednesday* next after his Appointment.

Appointment  
of Clerk and  
Sexton by  
the Minister.

XXIX. And be it further enacted, That the Minister for the Time being of the said intended Church or Chapel is hereby authorized and empowered to nominate and appoint proper Persons to the Offices of Clerk and Sexton, and of Organist (if any Organ shall be set up in such intended Church or Chapel), and of Ringers (if a Set of Bells shall be hung up in the Steeple thereof), and from Time to Time to remove or displace any such Officer or Officers, and to appoint any other or others in his or their Stead, or in the Stead of such of them as shall die or decline, or become incapable to perform his or their Office or Offices respectively.

Minister, &c.  
subject to Ju-  
risdiction of  
the Arch-  
bishop of  
York.

XXX. And be it further enacted, That the said intended Church or Chapel, and Minister and Church or Chapel Wardens, shall be under and subject to the ordinary Jurisdiction of the Archbishop of *York*, and shall be visited in such Manner as other Churches within the Diocese of *York* are visited.

Rate upon  
the Pews for  
occasional  
Repairs, and  
incidental  
Expences.

XXXI. And be it further enacted, That the Persons appointed to the said Office of Church or Chapel Wardens of the said intended Church or Chapel as aforesaid, shall and may, and they are hereby empowered and required to make, or cause to be made, a Rate, sufficient to answer and pay the Expences herein-after mentioned, upon the Proprietors of the Pews and Seats in the said intended Church or Chapel, in Proportion to the Value at the Time of the Sale thereof, of each Pew and Seat respectively, and to collect and receive every such Rate from the said Proprietors; and in case any Proprietor or Proprietors, his, her, or their Executors or Administrators, shall, at any Time or Times, neglect or refuse to pay the Sum or Sums assessed on him, her, or them respectively by any such Rate, it shall be lawful for the said Church or Chapel Wardens,



dens, or One of them, to use such Means for the Recovery of every such Rate, as by the Laws and Statutes of the Realm are provided, for compelling the Payment of Assessments for the Repairs of Parish Churches, and by and out of the Monies arising by such Rates, to find and provide Bread and Wine for the Holy Communion, and Books and Surplices for the Minister, and to pay all incidental Charges and Expences relating thereto, and also to pay all Expences to be from Time to Time incurred in preserving the Windows of the said intended Church or Chapel whole and in good Repair, and in keeping the Inside of the said intended Church or Chapel at all Times cleaned and painted, and in a neat decent State, suitable for the solemn Celebration of Divine Worship therein.

XXXII. And be it further enacted, That the Keys of the said intended Church or Chapel shall from Time to Time be kept by, and left in the Custody of the Minister thereof for the Time being, or of any one whom he may appoint; and the Plate, Furniture, Records, and Books belonging thereto, shall and may be deposited and kept in the Vestry Room of the said intended Church or Chapel, or in such other Place as the Proprietors of Pews and Seats therein, or the major Part of them, shall from Time to Time direct, in a strong Chest to be for that Purpose provided, with Two secure Locks and different Keys, one of which shall from Time to Time be kept by the said Minister, and the other by the said Church or Chapel Wardens for the Time being.

Keys of the Church to be kept by the Minister.

XXXIII. And be it further enacted, That the Monies to be received by the said Trustees by virtue of this Act, shall be applied by them, in Payment of the Costs, Charges, and Expences of obtaining and passing the same, and then in erecting and completing the said intended Church or Chapel, and for other the Purposes of this Act.

Application of Monies.

XXXIV. Provided always, and be it enacted, That all and every the said Trustees shall from Time to Time, and at all Times hereafter, be amply and fully indemnified from and out of the Monies to arise by virtue of this Act, of and from all Costs, Charges, Damages, and Expences, which they or any of them, or their Treasurer or Treasurers as aforesaid, shall and may sustain or be put unto for or by reason of any Action, Suit, or other Proceeding, which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Act, Matter, or Thing which may be by them, or any of them, legally done in or about the Execution of this Act, and the Trusts hereby in them reposed.

Indemnity to Trustees.

XXXV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after the Expiration of Six Calendar Months next after the Cause of Action or Suit shall arise, nor without Twenty-one Days Notice shall have been given to him or them previous to the Commencement of such Action or Suit, and every such Action or Suit shall be brought and tried in the said County of York, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after the Time limited for bringing the same as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action

Limitation of Actions.



tion or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Action or Suit in other Cases of Law or Equity.

Rights of the  
Vicar of  
Sculcoates.

XXXVI. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, impeach, or defeat the Right, Title, Interest, Claim, or Demand of the Vicar of the said Parish of *Sculcoates*, for the Time being, of, in, or to any Tithes, Offerings, Oblations, Obventions, or other Ecclesiastical Rights, Dues, Benefits, or Advantages, arising within the same Parish, and belonging to the Vicar thereof, or his Successors, (save the Right of Patronage, Nomination, and Right of Presentation to the said intended Church or Chapel), but the same shall be paid and payable in the same Manner as they would or ought to have been in case this Act had not been made.

General  
Saving of  
Rights.

XXXVII. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than those meant and intended to be barred and destroyed by this Act), all such Estates, Rights, Titles, and Interests as they, every, or any of them had and enjoyed before the passing of this Act, or could or might have had or enjoyed in case this Act had not been made.

Public Act.

XXXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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